
MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE POLICEMEN'S
ANNUITY & BENEFIT FUND
HELD
THURSDAY – JULY 30, 2015

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund was held July 30, 2015, at 9:00 A.M. at the office of the Fund, 221 N. LaSalle Street, Room 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Communications, Ltd. Court Reporters and are made a part of the record.

PRESENT: Trustees Avila, Hamburger, Hauser, Lappe, Maloney, Summers 6.

ABSENT: Brown, Wright 2.

PRESIDING: President and Trustee Kenneth Hauser.

President Hauser called the meeting to order.

The first order of business was review of the minutes of the Investment Committee Meeting held July 27, 2015.

It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board approve the minutes of the Investment Committee Meeting held July 27, 2015, as presented.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board approve the minutes from the regular meeting held June 25, 2015.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

President Hauser called for a motion to adopt the Order of the Board on the disability status review of **Samirah Day**. The Board found that the disability resulting from the act of duty incident has ceased, therefore the duty disability benefits shall cease on July 31, 2015, accordingly.

It was moved by Trustee Avila, seconded by Trustee Lappe that the Board adopt the Order as submitted on Samirah Day.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

President Hauser called for a motion to adopt the Order of the Board on the disability application of **Anthony Hernandez**. The Board denied a duty disability and awarded an ordinary disability benefit.

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board adopt the Order as submitted on Anthony Hernandez.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

In the absence of the Recording Secretary, President Hauser conducted the general agenda as follows:

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AGENDA INDEX & SUMMARY

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1 - 7 Incurred Expenses for the Month of July 2015.

It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board approve the Obligations as detailed on pages 1 through 7.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

8 - 13 Refunds of Contributions; Withdrawal of Service, Widow's Annuity Accumulations,
Widow's Annuity Accumulations-Revised and Exempt Rank.

It was moved by Trustee Avila, seconded by Trustee Hamburger that the Board approve the Refunds as detailed on pages 8 through 13.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

14 - 16 Payment to Heirs of Deceased Annuitants

It was moved by Trustee Avila, seconded by Trustee Hamburger that the Board approve the Payments to Heirs of Deceased Annuitants as detailed on pages 14 through 16.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

17 Refund of Unused Annuity Accumulations

It was moved by Trustee Avila, seconded by Trustee Lappe that the Board approve the Refund of Unused Annuity Accumulations as detailed on page 17.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

18 Refund of Annual Increase Contributions- Revised

It was moved by Trustee Avila, seconded by Trustee Lappe that the Board approve the Refund of the Revised Annual Increase Contributions as detailed on page 18.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

19 - 21 Annuities [Summary pg. 22]

It was moved by Trustee Hamburger, seconded by Trustee Summers that the Board approve the Annuities as detailed on pages 19 through 21.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

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AGENDA INDEX & SUMMARY

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23 - 28 Annuities – *Revised*

It was moved by Trustee Summers, seconded by Trustee Hamburger that the Board approve the Revised Annuities as detailed on pages 23 through 28.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

29 -30 Annuities to Widows [Summary pg. 31]

It was moved by Trustee Avila, seconded by Trustee Hamburger that the Board approve the Annuities to Widows as detailed on pages 29 and 30, and acknowledging the repayment of indebtedness due to administrative calculation errors regarding deceased officers Leal and McKenna.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

32 Annuities to Children

It was moved by Trustee Hamburger, seconded by Trustee Summers that the Board approve the Annuities to Children as detailed on page 32.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

33 Ordinary Disability Benefits

a) **Stancil, Elaine**

It was moved by Trustee Lappe, seconded by Trustee Summers that the Board award ordinary disability benefits to Officer Stancil as detailed on page 33.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

34 Ordinary Disability Benefits – *Revised*

It was moved by Trustee Summers, seconded by Trustee Hamburger that the Board approve the Revised ordinary disability benefits as detailed on page 34.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

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AGENDA INDEX & SUMMARY

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35 – 36 Duty / Occupational Disease Disability Benefits
b) **James, Rufus**

It was moved by Trustee Hamburger, seconded by Trustee Summers that the Board move to grant the officer, subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

c) **Lefebvre, Todd**

It was moved by Trustee Hamburger, seconded by Trustee Summers that the Board defer all benefits pending a full hearing for Officer Lefebvre.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

d) **Maloy, Brian R.**

It was moved by Trustee Lappe, seconded by Trustee Avila that the Board defer all benefits pending a full hearing for Officer Maloy.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

e) **Powe, Albert D.**

It was moved by Trustee Lappe, seconded by Trustee Avila that the Board move to grant the officer, subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

f) **White, Cedric ♥**

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board move to grant the officer, subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

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37 – 39 Duty / Occupational Disease Disability Benefits - *Revised*

It was moved by Trustee Avila, seconded by Trustee Hamburger that the Board approve the Revised duty and occupational disease disability benefits as detailed on pages 37 through 39.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

40 - 42 Payments of Death Benefits [Summary pg. 43]

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board approve the Death Benefits as detailed on pages 40 through 42.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

MISCELLANEOUS

44 FUNDING RESOLUTION FOR 2016

It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board approve the Funding Resolution as detailed on page 44.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

45 PETITIONS FOR PENSION CREDIT FOR PRIOR SERVICE UNDER 5-214(C)

It was moved by Trustee Lappe, seconded by Trustee Summers that the Board approve the requests to purchase pension credit for prior Cook County service detailed on page 45.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

46 PETITIONS FOR PENSION CREDIT FOR PRIOR LAW ENFORCEMENT
SERVICE UNDER 5-214.2

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board deny the requests to purchase pension credit for prior law enforcement services detailed on page 46.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

General Agenda Completed.

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It was moved by Trustee Hamburger, seconded by Trustee Summers that the Board enter into Executive Session per 2 (c)(11).

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Summers 5.

Absent: Brown, Maloney, Wright 3.

Against: 0.

It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board exit the Executive Session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers 6.

Absent: Brown, Wright 2.

Against: 0.

PAGE NO. **REFERENCE**

HEARINGS

47 REQUEST TO PAY FOR LEAVE OF ABSENCE

Muñoz, Antonio

President Hauser called for a motion on the request to pay for a leave of absence for Illinois Senator Antonio Munoz. *It was moved by Trustee Avila, seconded by Trustee Maloney that this matter be continued to another date.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney 5.

Absent: Brown, Summers, Wright 3.

Against: 0.

48 APPLICATION FOR COMPENSATION WIDOW'S ANNUITY

Harris, (David) Sandra

It was moved by Trustee Maloney, seconded by Trustee Avila that the Board grant the request for a continuance on the hearing for a compensation widow's annuity.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers 6.

Absent: Brown, Wright 2.

Against: 0.

A matter not on the general Agenda was reviewed. Notice of hearing had previously been sent on this matter.

APPLICATION FOR CHILD'S ANNUITY

Willett, Alexis (P.O. Michael Peas)

It was moved by Trustee Avila, seconded by Trustee Hamburger that the Board grant the request for a continuance on the application for a child's annuity.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers 6.

Absent: Brown, Wright 2.

Against: 0.

The Board's President called for the hearings on the scheduled cases.

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DISABILITY HEARINGS

DISABILITY STATUS REVIEWS

49 **O'Donnell, Ryan**

Ryan O'Donnell appeared, with Counsel, before the Board on a disability status review. Mr. O'Donnell, through his attorney, requested a continuance.

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board grant a 90-day continuance as requested.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney 5.

Absent: Brown, Summers, Wright 3.

Against: 0.

50 **Rodriguez, Jr., Rafael**

Rafael Rodriguez, Jr. appeared, with Counsel, before the Board on a disability status review. After hearing testimony from the member, the Board's physician and reviewing the documents submitted *it was moved by Trustee Maloney, seconded by Trustee Lappe that the Board approve continuation of duty disability benefits to Rafael Rodriguez.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney 5.

Absent: Brown, Summers, Wright 3.

Against: 0.

51 **Saladino, Michael**

Michael Saladino appeared, with Counsel, before the Board on a disability status review. After hearing testimony from the member, the Board's physician and reviewing the documents submitted, *it was moved by Trustee Maloney, seconded by Trustee Lappe that the Board continue Michael Saladino's duty disability at this time with possible review in six months.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney 5.

Absent: Brown, Summers, Wright 3.

Against: 0.

52 **Terrano, Michael**

Michael Terrano appeared, with Counsel, before the Board on a disability status review. Mr. Terrano, through his attorney, requested a continuance to obtain current medical reports.

It was moved by Trustee Maloney, seconded by Trustee Lappe that the Board grant a continuance as requested to the next Board meeting date, if possible.

ROLL CALL

For: Avila, Hauser, Lappe, Maloney 4.

Absent: Brown, Summers, Wright 3.

Against: Hamburger 1.

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A matter not on the general Agenda was reviewed.

DISABILITY REVIEW

Lerch, William

Sgt. Lerch, currently in receipt of an ordinary disability benefit, has obtained a medical report from his physician indicating he may return to active service with the Chicago Police Department.

Based on the medical documentation it was moved by Trustee Hamburger, seconded by Trustee Avila that the Board terminate his ordinary disability benefit effective July 31, 2015.

ROLL CALL

For: Avila, Hamburger 2.
Absent: Brown, Summers, Wright 3.
Against: Hauser, Lappe, Maloney 3.

MOTION FAILS

It was then moved by Trustee Lappe, seconded by Trustee Maloney that the Board terminate Sgt. Lerch's ordinary disability benefits effective August 31, 2015.

ROLL CALL

For: Avila, Hauser, Lappe, Maloney 4.
Absent: Brown, Summers, Wright 3.
Against: Hamburger 1.

It was moved by Trustee Avila, seconded by Trustee Hamburger that the Board go into Executive Session per 2 (c)(11).

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney 5.
Absent: Brown, Summers, Wright 3.
Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Maloney that the Board exit Executive Session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney 5.
Absent: Brown, Summers, Wright 3.
Against: 0.

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53 DUTY DISABILITY CLAIMS

Alesia, Michael

Michael Alesia's attorney appeared before the Board and requested a continuance in order to obtain additional documents.

It was moved by Trustee Avila, seconded by Trustee Summers that the Board grant the request for a 60-day continuance on the disability application of this officer.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers 6.
Absent: Brown, Wright 2.
Against: 0.

Hauser, Daniel

Daniel Hauser appeared before the Board, with Counsel, on his claim for a duty disability benefit. The hearing was commenced and after hearing testimony from claimant, Sgt. Snelling of the Chicago Police Department and reviewing the documents submitted, *it was moved by Trustee Hamburger, seconded by Trustee Avila that the Board continue this case to another date for completion.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney 5.
Absent: Brown, Wright 2.

Against: Summers 1.

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<u>PAGE NO.</u>	<u>REFERENCE</u>
53	DUTY DISABILITY CLAIMS, Continued

Hespe, Kelly

Kelly Hespe appeared before the Board, with Counsel, on her claim for a duty disability benefit. After hearing testimony from claimant and reviewing the documents submitted, *it was moved by Trustee Avila, seconded by Trustee Hamburger that the Board go into Executive Session per 2 (c)(11).*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers 6.

Absent: Brown, Wright 2.

Against: 0.

It was moved by Trustee Avila, seconded by Trustee Summers that the Board exit the Executive Session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers 6.

Absent: Brown, Wright 2.

Against: 0.

The Board back in open session, the disability hearing resumed. Upon conclusion of taking testimony, *it was moved by Trustee Hamburger to grant Kelly Hespe an ordinary disability benefit.*

MOTION DIES FOR LACK OF A SECOND.

It was then moved by Trustee Hamburger to grant Kelly Hespe a duty disability benefit.

MOTION DIES FOR LACK OF A SECOND.

It was moved by Trustee Avila, seconded by Trustee Hamburger that the Board go into Executive Session per 2 (c)(11).

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney 5.

Absent: Brown, Summers, Wright 3.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board exit the Executive Session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney 5.

Absent: Brown, Summers, Wright 3.

Against: 0.

Kefalas, Vasilios

Vasilios Kefalas appeared before the Board, with Counsel, on his claim for a duty disability benefit. After hearing testimony from claimant, and reviewing the documents submitted, *it was moved by Trustee Hamburger, seconded by Trustee Maloney that the Board award Vasilios Kefalas a duty disability benefit.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers 6.

Absent: Brown, Wright 2.

Against: 0.

It was then moved by Trustee Hamburger, seconded by Trustee Lappe that the Board grant the duty award at 75% of salary as defined in the Pension Act.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Summers 6.

Absent: Brown, Wright 2.

Against: 0.

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The Executive Director reviewed with the Board the following matters.

- Discussion concerning the upcoming Trustee Election. The terms of Trustees representing (1) police officers / investigators or ranks equivalent thereto and (2) annuitants are expiring November 30, 2015. In accordance with the Election Rules, and the time table set forth therein; the Board, with a quorum present, is required to conduct a Petition Sufficiency meeting on Thursday October 1, 2015. Copies of election rules, the proposed timeframe for the election, and a draft of the newsletter to members informing them of the upcoming election were distributed.
- Further discussion was held concerning the date election petitions shall be available for pick-up. Through general agreement, petitions for the 2015 Trustee Election shall be available on Thursday August 27, 2015. It was also agreed that Thursday, October 1, 2015, would be the sufficiency meeting.
- The Board's physician has recommended testing to be completed on certain members in receipt of disability benefits.

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board approve the recommendation of the Board's physician to have FCEs performed on certain disability recipients.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney 5.

Absent: Brown, Summers, Wright 3.

Against: 0.

- A discussion concerning the RFP for the Investment Consultant.

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board approve the RFP for the Investment Consultant, which shall be posted on the Fund's website on or around August 10th for a 30-day period.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney 5.

Absent: Brown, Summers, Wright 3.

Against: 0.

- Discussion concerning communication from the Justice Department and the City of Chicago regarding a hiring discrimination suit. The City is prepared to enter into an agreement and allow a retroactive hire date of 2008. These individuals, if pension credit is wanted, will be required to pay the Fund the City's contributions and the salary contributions that they would have contributed. Discussion regarding the Tier assigned was held.
- The Executive Director informed the Board that the 2014 CAFR has been finished and provided a copy to each trustee.
- The Executive Director informed the Board that the 2015 Funding Resolution for 2016 and the related GRS Certification letter would be sent to Ms. Alexandra Holt, per her request, by August 3rd.
- The Executive Director provided an update on the real estate search for office space for the Fund. MB Real Estate will be soliciting bids from approximately ten properties, including the Fund's current location.

MINUTES CONTINUED

June 25, 2015

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- Discussion was held concerning ILCS 5/5-214, Credit for Other Service. This topic shall be reviewed again at the August Board meeting.

EXECUTIVE DIRECTOR'S REPORT CONCLUDED

Trustee Maloney requested reimbursement to attend the National Association State Retirement Administrators conference.

It was moved by Trustee Lappe, seconded by Trustee Avila that the Board approve Trustee Maloney registration and expenses to attend this conference.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney 5.

Absent: Brown, Summers, Wright 3.

Against: 0.

Additional discussion was held concerning other conferences in 2015.

It was moved by Trustee Lappe, seconded by Trustee Avila that the Board approve registration and expenses for any Trustee who wishes to attend the IPPFA Conference in October 2015.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney 5.

Absent: Brown, Summers, Wright 3.

Against: 0.

Due to a lack of a quorum, the Board meeting of this date, July 30, 2015, stands adjourned.